

## REMARKS

### STATUS OF THE CLAIMS

According to the foregoing, claims 18, 27, 36 and 41-43 have been amended. Claims 18-43 are pending and under consideration.

No new matter is being presented, and approval of the amended claims is respectfully requested.

### REASONS FOR ENTRY

Applicant requests entry of this Rule 116 Response and Request for Reconsideration because the claim amendments are merely intended to overcome the rejections under 35 U.S.C. §101. The amendments were not earlier presented because the Applicant believed in good faith that the claims recited patentable subject matter. The amendments do not entail any further search by the Examiner since no new features are being added or no new issues are being raised.

Further, the amendments do not significantly alter the scope of the claims and place the application at least into a better form for appeal. The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

### EXAMINER INTERVIEW

An Examiner Interview was conducted in which Applicant requested clarification regarding the rejections under 35 U.S.C. §101 and to discuss possible claim amendments for overcoming same.

The Examiner explained that there is no physical transformation or a useful and tangible result for the claimed methods. The examiner further stated that the methods are in reality claiming protection of the computer program and for the claims to be statutory method/process claims, the claims require limitations to the practical application shown by a) physical transformation or b) a useful and tangible result.

In response, Applicant proposed amending preambles of some independent claims to

recite, for example, "A method for conditioning a database of words formed of graphemes and phonemes, for automatic speech processing to output acoustic signals corresponding to input text using the database". However, after reviewing the proposed amendments the Examiner concluded that these amendments still provide no physical transformation or a useful and tangible result.

Therefore, the claim amendments presented herein are intended to overcome the rejections under 35 U.S.C. §101.

#### REJECTION UNDER 35 U.S.C. § 101

In item 2 on page 2 of the Office Action, claims 18-43 were rejected under 35 U.S.C. § 101 as defining non-statutory processes simply manipulating an abstract idea without a claimed limitation to the practical application and lacking any post or pre computer process activity.

The Examiner stated that there is no physical transformation or a useful and tangible result for the claimed methods. To be statutory method/process claims, the Examiner stated that the claims require limitations to the practical application shown by a) physical transformation or b) a useful and tangible result.

Independent claims 18, 27, 42 and 43 are amended herein to recite converting individual phonemes into electric signals and outputting an acoustic signal. (See page 11, paragraph [0059] of the Supplemental Specification for support). As a result, it is respectfully submitted that the independent claims clearly provide a physical transformation as well as a useful and tangible result. Accordingly, the rejections thereof are respectfully overcome.

Furthermore, independent claim 42, for example, recites training the neural network (for example, a multiprocessor computer network, which constitutes a product or machine) by inputting the graphemes at input nodes and the associated phonemes at an output node of the neural network for at least some of the words in the database. On page 2 of the final Action, the Examiner states, "the neural network does not represent functional descriptive matter embodied in a usable medium which if imparted to a computer would cause a computer to implement a process or become a specialized machine." However, Applicant respectfully submits that training the neural network causes the neural network to clearly become a specialized machine (tangibly embodied), thereby producing a useful and tangible result.

Moreover, independent claims 36 and 41 are amended herein to recite a method for assigning graphemes to phonemes for synthesizing speech using a processor and a method for assigning phonemes to graphemes for synthesizing speech using a processor, respectively. Independent claims 36 and 41 also recite training a neural network by inputting the

graphemes/phonemes at input nodes and the associated phonemes/graphemes at an output node of the neural network for at least some of the words in the database; and generating, from the neural network, an output pattern of one phoneme/grapheme corresponding to the letter/phoneme to be assigned.

It is respectfully submitted that the amended claims recite a useful and tangible result (output of a phoneme or grapheme and a trained neural network) using a tangible medium (processor). As a result, it is further submitted that the rejections of independent claims 36 and 41 are respectfully overcome.

Finally, during the Examiner interview, the Examiner stated that claims directed to a computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer's functionality to be realized, and is thus statutory.

Independent claim 43 currently recites an electronically readable data medium storing at least one computer program to control a processor to perform a method for conditioning a database of words formed of graphemes and phonemes for automatic speech processing using the database, which is respectfully submitted to substantially correspond to the explanation of statutory subject matter provided by the Examiner. Therefore, in addition to the reasons provided above, it is further submitted that the rejection of independent claim 43 should be withdrawn. Reconsideration is respectfully requested.

The rejections of the pending dependent claims are respectfully overcome for at least the reasons provided above for the amended independent claims.

## CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

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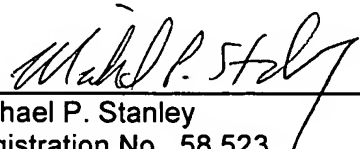
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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